

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bennie L. FARMER

Application No.: 10/825,967

Group No.: 2612

Filed: April 16, 2004

Examiner: TWEEL JR., John A.

For: AUTOMATED CONSUMER TO BUSINESS ELECTRONIC MARKETPLACE
SYSTEM

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RENEWED PETITION FOR THE ACCEPTANCE OF AN UNINTENTIONALLY
DELAYED CLAIM FOR PRIORITY 37 C.F.R. § 1.78(a)(3)
AND ACCOMPANYING SUBSTITUTE AMENDMENT**

This Renewed Petition is being filed in response to the Decision on Petition mailed February 16, 2007. The Substitute Amendment attached to this Petition now fully identifies the prior co-pending applications and the relationship of the applications without including an incorporation by reference statement.

1. This application was filed on April 16, 2004, and a Notice of Allowance was mailed on January 11, 2006.
2. Applicant filed this application intending for it to claim the priority benefit of co-pending U.S. Application No. 10/690,459 filed October 20, 2003, which claimed the benefit of U.S. Application No. 09/638,177 filed August 11, 2000. However, upon inspecting this application in preparation for issuance, the Applicant discovered the omission of the claim of benefit.
3. A Renewed Petition was filed on November 21, 2006 to request the acceptance of an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of priority to the prior-filed nonprovisional applicants set forth with the amendment filed with the Petition. It was ruled that the reference to add the prior-filed applications on page one following the first sentence of the specification was not acceptable as drafted since it improperly incorporated by reference the prior-filed applications.

4. This Petition requests the acceptance of an unintentionally delayed claim for priority and includes the reference to add the prior-filed applications on page one following the first sentence of the specification without incorporating by reference the prior-filed applications.
5. The entire delay in filing this claim for benefit, from the due date until the filing of this Petition was unintentional (37 C.F.R. § 1.78(a)(3)).
6. As this claim of benefit was unintentionally missing from the application, it is likely that the examiner was not aware of the related applications. The Information Disclosure Statement filed concurrently with the original Petition for the Acceptance of an Unintentionally Delayed Claim for Priority (dated April 10, 2006) identifies the patents and applications referenced by Examiner Gravini in patent application number 09/638,177 that were not before Examiner Tweel in the present application, as well as the parent applications.
7. Fee and payment of fee (37 C.F.R. § 1.17(t)):

The fee for this Petition was paid on April 10, 2006 by check number 7166 and therefore no fee is believed to be due for this Renewed Petition. If the Office does require a fee, please charge any additional fees required by this paper, or credit any overpayment, to Deposit Account No. 15-0450.

Respectfully submitted,



Signature of Practitioner

Date: February 22, 2007

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